

REMARKS/ARGUMENTS

Claims 9-13 and 21-23 are pending in this application. By this Amendment, Applicant cancels Claim 8, amends Claims 9-13, and adds new Claims 21-23.

Applicant appreciates the Examiner's indication that Claims 11 and 12 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims.

Claim 13 has been withdrawn from further consideration as being directed to a non-elected species. Claim 13 is dependent upon generic Claim 11. New Claim 23 corresponds to Claim 13 and is dependent upon generic Claim 12. Accordingly, Applicant respectfully requests that the Examiner rejoin and allow Claims 13 and 23 when generic Claims 11 and 12 are allowed.

Claim 8 was rejected under 25 U.S.C. § 103(a) as being unpatentable over Nakatani et al. (U.S. 6,625,037) in view of Suzuki et al. (U.S. 5,877,550). Claims 9 and 10 were rejected under 25 U.S.C. § 103(a) as being unpatentable over Nakatani et al. in view of Suzuki et al., and further in view of Baba et al. (U.S. 2005/0118750).

Applicant has amended allowable Claims 11 and 12 to be in independent form including all of the features of Claim 8; canceled Claim 8; amended Claims 9, 10, and 13 to be dependent upon allowable Claim 11; and added new Claims 21-23, which correspond to Claims 9, 10, and 13, but which are dependent upon allowable Claim 12.

Accordingly, Applicant respectfully submits that the rejection of Claim 8 under 25 U.S.C. § 103(a) as being unpatentable over Nakatani et al. in view of Suzuki et al., and the rejection of Claims 9 and 10 under 25 U.S.C. § 103(a) as being unpatentable over Nakatani et al. in view of Suzuki et al., and further in view of Baba et al. are moot.

In view of the foregoing amendments and remarks, Applicant respectfully submits that Claims 11 and 12 are allowable. Claims 9, 10, 13, and 21-23 depend upon Claims 11 and 12, and are therefore allowable for at least the reasons that Claims 11 and 12 are allowable.

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In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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